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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/815,202

03/31/2004

Robert P. Cassoni

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9504

23280 7590 07/10/2009  
Davidson, Davidson & Kappel, LLC  
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EXAMINER

YEAGLEY, DANIEL S

ART UNIT

PAPER NUMBER

3611

MAIL DATE

DELIVERY MODE

07/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ROBERT P. CASSONI

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Application 10/815,202  
Technology Center 3600

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Mailed: July 10, 2009

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Before KRISTA ZELE, *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeal Administrator*.

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on July 29, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on February 12, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

ACCORDINGLY, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Reply Brief filed February 12, 2007, as indicated above;
- 2) and for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/ec

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